

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6565

BILL NUMBER: SB 409

NOTE PREPARED: Dec 3, 2004

BILL AMENDED:

SUBJECT: Commitment Based on Law Enforcement Affidavit.

FIRST AUTHOR: Sen. Steele

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that an application or a petition for the commitment of a person who is alleged to be mentally ill and either dangerous or gravely disabled does not require a physician's written statement if a law enforcement officer files the application or petition with an affidavit stating certain information. The bill requires a court to appoint a physician to examine a person who is alleged to be mentally ill and either dangerous or gravely disabled before a commitment hearing.

Effective Date: July 1, 2005.

Explanation of State Expenditures: This bill modifies current statute to allow a law enforcement officer, when committing a person who is alleged to be mentally ill and either dangerous or gravely disabled, to file an affidavit stating certain information in place of the currently required physician's statement. The Indiana State Police reports that law enforcement personnel currently complete a variety of paper work when committing an individual. Furthermore, filing of an additional form would likely not increase the work load significantly; any increase in workload is likely small.

The bill requires a court to appoint a physician to examine, before a commitment hearing, a person who is alleged to be mentally ill and either dangerous or gravely disabled. Current statute requires examination of an individual by a physician prior to a commitment procedure. As a result, an increase in workload or expenditures is not anticipated.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration; Indiana State Police.

Local Agencies Affected: Trial Courts; Local law enforcement agencies.

Information Sources: Steve Hillman, Indiana State Police, 232-5899.

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